

Response Under 37 CFR 1.116
Expedited Procedure
Examining Group 1734
Appl. No. 09/830,490
Response dated December 23, 2003
Reply to Office Action of September 24, 2003
Attorney Docket No. 1217-010666

REMARKS

Claims 1-4 are pending in the application. Claim 1 has been amended to include the limitation of cancelled claim 4, i.e., that the distance between the sheet members is narrowed gradually. Claim 4 has been cancelled. Applicants appreciate the Examiner's allowance of claims 2 and 3 and indication of allowable subject matter in claim 4.

35 U.S.C. § 103(a) Rejections

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 11-161760 to Fujikawa et al. (hereinafter "Fujikawa et al."). However, the Examiner indicates that claim 4, which depends from claim 1, would be "allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

Claim 1 has been amended to include the limitation of claim 4 and is equivalent to claim 4 rewritten in independent form to include all of the limitations of the base claim. As such, Applicants assert that claim 1 is in form for allowance and the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

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CONCLUSION

In view of the above amendments and remarks, it is believed that all of the pending claims are in condition for formal allowance. Reconsideration of the rejection of claim 1 and formal allowance of claims 1-3 are respectfully requested.

Respectfully submitted,

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